

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE:

Case No. 09-51427

STEPHANIE ROSALYNN RUTHERFORD,
pro se,

Chapter 7

Debtor.

Judge Thomas J. Tucker

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ORDER DENYING MOTION FOR RECONSIDERATION

This case comes before the Court on Debtor's "Motion to Reinstate Case," filed on July 27, 2009 (Docket # 18, the "Motion"), which this Court construes as a motion for reconsideration of, and for relief from, the July 22, 2009 Order dismissing this case (Docket # 16), and

The Court having reviewed and considered the Motion, and

The Court finds the Motion fails to demonstrate a palpable defect by which the Court and the parties have been misled, and that a different disposition of the case must result from a correction thereof. *See* Local Rule 9024-1(a)(3).

Further, the Court finds that the allegations in the Motion do not establish excusable neglect under Fed.R.Civ.P. 60(b)(1), FedR.Bankr.P. 9024, or any other valid ground for relief from the order dismissing this case.

In addition, the Court notes the following. The Court's order denying debtor's application to waive the filing fee, filed April 20, 2009 (Docket # 12), required Debtor to pay the filing fee in full no later than June 29, 2009. A copy of that order was mailed to the Debtor, at the same address she lists for herself in her Motion, on April 22, 2009. *See* BNC Certificate of Mailing, filed April 22, 2009 (Docket # 13). And the Court's show-cause order, which required Debtor to appear for a hearing on July 22, 2009 at 9:00 a.m., filed July 10, 2009 (Docket # 14), was mailed to the Debtor, again to the same address she lists for herself in her Motion, on July 12, 2009. *See*

BNC Certificate of Mailing, filed July 12, 2009 (Docket # 15). Under these circumstances, Debtor was given ample and reasonable notice of the Court's two orders referred to above.

NOW, THEREFORE,

IT IS ORDERED that the Motion should be, and is, DENIED.

Signed on August 03, 2009

/s/ Thomas J. Tucker
Thomas J. Tucker
United States Bankruptcy Judge